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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,369	12/20/2001	David L. Henty	DLHI.PAU.03	9652

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EXAMINER	
KUMAR, SRILAKSHMI K	
ART UNIT	**PAPER NUMBER**
2675	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/027,369	HENTY, DAVID L.	
	Examiner	Art Unit	
	Srilakshmi K. Kumar	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-18 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-18 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10, 11, 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Loving (US 6,531,964).

As to independent claims 10, 19 and 20, a wireless keyboard and reader combination adapted for use with a separate RFID tag, the tag having data stored therein and a passive transponder circuit (col. 1, lines 6-15, col. 2, lines 49-55) and method for same comprising; a source of an interrogating field (col. 3, lines 12-25); Loving discloses a remote control device comprising an antenna and RF circuitry, where the RF circuitry is coupled to the antenna (col. 4, lines 1-9). Loving, further, discloses where the RF circuitry is coupled to the plurality of keys of the remote control device and sends signals identifying the keys depressed by the remote control device (col. 4, lines 5-9, 29-33). and a reader including a decoder for receiving RF signals from the RFID tag and wireless keyboard and determining the data sent from the RFID tag passive transponder circuit and the key activation information from the keyboard RF circuit (col. 3, lines 12-25).

As to dependent claim 11, limitations of claim 10, and further comprising, wherein said RFID tag is attached to a product and wherein the data stored in said RFID tag comprises product related information (col. 3, lines 5-10, where there are different products, TV, radio, printers, etc. and in col. 1, lines 42-60, where tags are used for identification of products).

As to dependent claim 14, limitations of claim 10, and further comprising, wherein said reader detects first and second RF frequencies and wherein said RFID tag transponder circuit and mouse RF circuit are operative at said first and second frequencies, respectively (col. 4, line 58-col. 5, line 9).

As to dependent claim 15, limitations of claim 10, and further comprising, wherein said reader comprises an antenna for receiving RF signals from both the RFID tag and wireless mouse or wireless keyboard (col. 3, lines 12-26, col. 4, lines 14-23).

As to dependent claim 16, limitations of claim 10, and further comprising, wherein said source of an interrogating field comprises said reader antenna (col. 3, lines12-26, col. 4, lines 14-23).

As to dependent claim 17, limitations of claim 10, and further comprising, wherein said mouse RF circuit comprises one or more passive transponder circuits responsive to said interrogating field (col. 2, lines 49-60).

As to dependent claim 18, limitations of claim 10, and further comprising, wherein said reader detects the data sent from the RFID tag passive transponder circuit and the key activation information from the keyboard RF circuit (col. 4, lines 5-9, 29-33).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loving (US 6,531,964).

As to dependent claim 13, limitations of claim 10, and further comprising, wherein the data stored in said RFID tag comprises internet address location information. Though Loving does not expressly state where the tag comprises the internet address location information. Loving discloses in col. 1, lines 42-60 where tags are used for identification, inventory control, tracking and other expanded information. It would have been obvious to one of ordinary skill in the art to incorporate information such as an internet address location information.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loving as applied to claim 10, and further in view of Hartsell, Jr (US 6,070,156).

As to dependent claim 12, limitations of claim 10, and further comprising, wherein said RFID tag is attached to a smart card and wherein the data stored in said RFID tag comprises financial information. Loving does not explicitly state where the RFID tag is attached to a smart card and wherein the data stored in the RFID tag comprises financial information. Hartsell discloses in Fig. 2b and col. 2, lines 37-39, col. 6, lines 20-38 and col. 7, lines 4-18 remote communications with a smart card comprising RFID tag where the data comprises financial information. It would have been obvious to one of ordinary skill in the art to incorporate the

smart card feature of Hartsell with that of Loving as the smart card is advantageous as disclosed by Hartsell in col. 1, lines 10-25, where consumers are able to purchase services and need only pick up the goods to expedite transactions.

6. Claims 1, 2, and 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loving (US 6,531,964) in view of Peng (US 6,686,903).

As to independent claim 1, Loving discloses a wireless controller and reader combination adapted for use with a separate RFID tag, the tag having data stored therein and a passive transponder circuit (col. 1, lines 6-15, col. 2, lines 49-55). Although Loving does not expressly disclose a wireless mouse, in col. 3, lines 5-10, Loving discloses computer cursor controllers to which to one of ordinary skill in the art would be a mouse; and a source of an interrogating field (col. 3, lines 12-25); Loving discloses a remote control device comprising an antenna and RF circuitry, where the RF circuitry is coupled to the antenna (col. 4, lines 1-9). Loving, further, discloses where the RF circuitry is coupled to the plurality of keys of the remote control device and sends signals identifying the keys depressed by the remote control device (col. 4, lines 5-9, 29-33). Loving does not disclose a wireless mouse having a mouse motion encoder and where the RF circuit is associated with the motion encoder and providing a RF signal identifying mouse motion. Peng discloses a wireless mouse with RFID capabilities with a motion encoder, antenna and RF circuit in col. 2, lines 15-48). It would have been obvious to one of ordinary skill in the art to combine the wireless mouse of Peng into that of Loving as Loving discloses computer cursor controllers in col. 3, lines 5-10, and Peng discloses a wireless computer cursor controller, i.e. a wireless mouse, particularly the structure and method of driving

and is advantageous as it enables detecting displacement of the cursor controller along the X-axis and Y-axis for cursor control (abstract).

and a reader including a decoder for receiving RF signals from the RFID tag and wireless mouse and detecting the data sent from the RF tag passive transponder circuit and the mouse motion information from the mouse RF circuit (col. 3, lines 12-25).

As to dependent claim 2, limitations of claim 1, and further comprising, wherein said RFID tag is attached to a product and wherein the data stored in said RFID tag comprises product related information (col. 3, lines 5-10, where there are different products, TV, radio, printers, etc. and in col. 1, lines 42-60, where tags are used for identification of products).

As to dependent claim 4, limitations of claim 1, and further comprising, wherein the data stored in said RFID tag comprises internet address location information. Though Loving does not expressly state where the tag comprises the internet address location information. Loving discloses in col. 1, lines 42-60 where tags are used for identification, inventory control, tracking and other expanded information. It would have been obvious to one of ordinary skill in the art to incorporate information such as an internet address location information.

As to dependent claim 5, limitations of claim 1, and further comprising, wherein said motion encoder comprises a ball adapted to rotate in response to mouse motion and X and Y encoder wheels coupled to the ball so as to respectively rotate in response to mouse motion in perpendicular directions and wherein said X-Y encoder wheels further comprise a circuit element coupled to said RF circuit so as to tune and detune said RF circuit in response to mouse motion in X and Y directions. Loving does not disclose the features of wherein said motion encoder comprises a ball adapted to rotate in response to mouse motion and X and Y encoder wheels

coupled to the ball so as to respectively rotate in response to mouse motion in perpendicular directions and wherein said X-Y encoder wheels further comprise a circuit element coupled to said RF circuit so as to tune and detune said RF circuit in response to mouse motion in X and Y directions. Peng discloses in col. 2, lines 26-48 where wherein said motion encoder comprises a ball adapted to rotate in response to mouse motion and X and Y encoder wheels coupled to the ball so as to respectively rotate in response to mouse motion in perpendicular directions and wherein said X-Y encoder wheels further comprise a circuit element coupled to said RF circuit so as to tune and detune said RF circuit in response to mouse motion in X and Y directions. It would have been obvious to one of ordinary skill in the art to combine the wireless mouse of Peng into that of Loving as Loving discloses computer cursor controllers in col. 3, lines 5-10, and Peng discloses a wireless computer cursor controller, i.e. a wireless mouse, particularly the structure and method of driving.

As to dependent claim 6, limitations of claim 1, and further comprising, wherein said reader detects first and second RF frequencies and wherein said RFID tag transponder circuit and mouse RF circuit are operative at said first and second frequencies, respectively (col. 4, line 58-col. 5, line 9).

As to dependent claim 7, limitations of claim 1, and further comprising, wherein said reader comprises an antenna for receiving RF signals from both the RFID tag and wireless mouse or wireless keyboard (col. 3, lines 12-26, col. 4, lines 14-23).

As to dependent claim 8, limitations of claim 7, and further comprising, wherein said source of an interrogating field comprises said reader antenna (col. 3, lines12-26, col. 4, lines 14-23).

As to dependent claim 9, limitations of claim 1, and further comprising, wherein said mouse RF circuit comprises one or more passive transponder circuits responsive to said interrogating field (col. 2, lines 49-60).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loving (US 6,531,964) in view of Peng (US 6,686,903) as applied to claim1 above, and further in view of Hartsell, Jr (US 6,070,156).

As to dependent claim 3, limitations of claim 1, and further comprising, wherein said RFID tag is attached to a smart card and wherein the data stored in said RFID tag comprises financial information. Loving and Peng do not explicitly state where the RFID tag is attached to a smart card and wherein the data stored in the RFID tag comprises financial information. Hartsell discloses in Fig. 2b and col. 2, lines 37-39, col. 6, lines 20-38 and col. 7, lines 4-18 remote communications with a smart card comprising RFID tag where the data comprises financial information. It would have been obvious to one of ordinary skill in the art to incorporate the smart card feature of Hartsell with that of Loving as the smart card is advantageous as disclosed by Hartsell in col. 1, lines 10-25, where consumers are able to purchase services and need only pick up the goods to expedite transactions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar
Examiner
Art Unit 2675

SKK
March 18, 2005

AMR A. AWAD
PRIMARY EXAMINER